

STATE OF INDIANA)
) SS:
COUNTY OF MARION) CAUSE NO. _____

STATE OF INDIANA,

Plaintiff,

v.

ALLEN R. KLEIMAN,
individually and doing business as
NOVELTYWORKSDEGREES.COM

Defendant.

490040612PL052207

(49)

FILED

DEC 28 2006

Dana Ann Hallen
CLERK OF THE
MARION CIRCUIT COURT

PRELIMINARY INJUNCTION

This matter having come before the Court on the Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction, and the Court having conducted a hearing on the Plaintiff's Motion, now finds as follows:

1. The Defendant, Allen R. Kleiman, individually and doing business as Noveltyworksdegrees, is an individual regularly engaged in the sale of purported high school and college diplomas and transcripts to consumers via the Internet from his principal place of business, located in Marion County, at 2049 Alysheba Drive, Indianapolis, Indiana, 46234.

2. The Defendant has acted as a supplier and solicited and engaged in the sale of purported high school and college diplomas or transcripts without obtaining prior authorization from the named high school or college, in violation of the Indiana Deceptive Consumer Sales Act, Indiana Code § 24-5-0.5-1, *et seq.*

3. By soliciting and engaging in the sale of purported high school and college diplomas or transcripts without obtaining authorization from the named high school or college, the Defendant has committed unlawful acts constituting *per se* “irreparable harm.”

4. There appears to be a substantial likelihood the Plaintiff will prevail on its Complaint in this action, and the Plaintiff does not have an adequate remedy at law to protect the state’s interests in preventing its citizens from being harmed by the deceptive acts raised in the Plaintiff’s motion.

5. Issuance of this Order is in the public interest, as additional deceptive acts will occur, unless the Defendant is restrained from soliciting and engaging in the sale of purported high school and college diplomas or transcripts without obtaining prior authorization from the named high school or college.

6. The Defendant was provided notice and given an opportunity for a hearing upon the Plaintiff’s Motion.

7. The Plaintiff is a governmental organization and is not required to offer security pursuant to Rule 65(c) of the Indiana Rules of Trial Procedure and Ind. Code § 4-6-3-2(b).

8. The Plaintiff’s Motion for Preliminary Injunction should be granted.

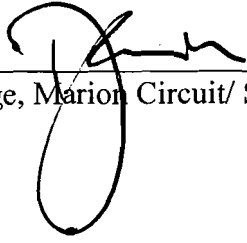
IT IS THEREFORE ORDERED by the Court the Defendant, Allen R. Kleiman, and his employees, agents, representatives, and any other person acting at his direction, be and hereby are preliminarily enjoined, pursuant to Rule 65 of the Indiana Rules of Trial Procedure, pending final resolution of this cause of action, from soliciting or engaging in the sale of purported high school and college diplomas or transcripts, via the

Internet or otherwise, without obtaining prior authorization from the named high school or college, in violation of the Indiana Deceptive Consumer Sales Act, Indiana Code § 24-5-0.5-1, *et seq.*

IT IS FURTHER ORDERED that the Plaintiff not be required to post security to obtain this Order pursuant to Rule 65(c) of the Indiana Rules of Trial Procedure.

DATED:

12/28/06



Judge, Marion Circuit/ Superior Court

Distribution:

Terry Tolliver
Office of the Attorney General
302 West Washington Street, IGCS 5th Floor
Indianapolis, IN 46204

Allen R. Kleiman
2049 Alysheba Drive
Indianapolis, IN 46234